

HIGHWAY SAFETY**FY- 2020 GRANT AGREEMENT (HS-3)**

Selective Traffic Enforcement Grant Program

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| APPLICANT AGENCY (Name & Address) Department Name Laramie County SO Department Address City, State Zip | | PROJECT NO. Alcohol 154 - 20.607 OP HVE - 405b - 20.616 |
| FUNDING PERIOD From: 10/1/2019 To: 9/30/2020 | | TITLE: Selective Traffic Enforcement Grant Program |
| REPORT PERIOD From: 10/1/2019 To: 9/30/2020 | | Start / or Revised Date: |
| TOTAL FUNDS APPROVED: \$12,179.04 | | Non-Major Equipment: Description of equipment |
| 154 FUNDS: DUI \$9,879.04 | | Major Equipment: Description of equipment |
| 405b FUNDS: OP HVE \$2,300.00 | | |
| | | |
| | | |
| TOTAL FUNDS: \$12,179.04 | | |

Acceptance of Conditions: It is understood and agreed by the undersigned that a grant received as a result of this Agreement is subject to the regulations governing Grants under Section 402 and other applicable sections of the Highway Safety Act. NHTSA and FHWA Order as issued (e.g. NHTSA 460-6) and the rules and regulations set forth in the "Contract Management Manual". It is also understood and agreed that the undersigned will conduct the grant in a manner that meets the project description and performs the objectives in the HS-2 grant agreement and within the budgeted amount allowed. The audit responsibility shall be addressed in this agreement. The sub-grantee must comply with applicable portions of OMB circular A-133 and any other federal documents that apply. The Highway Safety Program in conjunction with the WYDOT Internal Review staff will be available to assist the sub-grantee in determining if an A-133 audit is required. Recipient agrees to comply with Attachment A in the Grant Recipients Certifications and Assurances located on the Project Site.

| | |
|--|---|
| PROJECT DIRECTOR: TITLE: <u>Under Sheriff</u> PHONE: <u>307-633-4712</u> E-MAIL: <u>Bhillegas@laramiecounty.com</u> SIGNATURE: <u>[Signature]</u> DATE: <u>10-3-19</u> | AUTHORIZING OFFICIAL: TITLE: <u>Chairman</u> PHONE: <u>307-633-4260</u> E-MAIL: <u>Commissioners@laramiecounty.com</u> SIGNATURE: _____ DATE: _____ |
| APPROVAL: <u>Lori Emmert</u> DATE: <u>10/2/19</u> | |

WASCOP/WYDOT - HIGHWAY SAFETY GRANTS PROGRAM

PO Box 990, DOUGLAS, WY 82633 PHONE (307) 351-6994

RECEIVED AND APPROVED AS
TO FORM ONLY BY THE
LARAMIE COUNTY ATTORNEY[Signature]



Laramie County SO

| Event # | Dates Of Events | Event Name | Safety Focus | Funding Source | 154AL Budget | O.T. Hrs Worked | 154AL Expended | 154AL Remaining | 405B Budget | 405B Hrs Worked | 405B Expended | 405B Remaining | Total Remaining |
|---------|-------------------------------|-----------------------------------|-----------------|-------------------|-----------------|--------------------|-------------------|--------------------|----------------|--------------------|------------------|-------------------|--------------------|
| N1 | October 20-26, 2019 | National Teen Driver Week | OP | 405B | | | | | \$ - | | \$ - | \$ - | \$ - |
| N2 | October 30 - November 3, 2019 | Halloween | DUI | 154AL | \$ - | | \$ - | \$ - | | | | | \$ - |
| N3 | November 22 - Dec 1, 2019 | Thanksgiving | OP | 405B | | | | | \$ - | | \$ - | \$ - | \$ - |
| N4 | Nov 29 - Dec 10, 2019 | Pre-Holiday | DUI | 154AL | \$ - | | \$ - | \$ - | | | | | \$ - |
| N5 | Dec 11 - January 1, 2020 | Holiday | DUI | 154AL | \$ 2,000.00 | | \$ - | \$ 2,000.00 | | | | | \$ 2,000.00 |
| N6 | January 31 - Feb 2, 2020 | Superbowl | DUI | 154AL | \$ 1,500.00 | | \$ - | \$ 1,500.00 | | | | | \$ 1,500.00 |
| N7 | March 13-17, 2020 | St. Patrick's Day | DUI | 154AL | \$ 1,500.00 | | \$ - | \$ 1,500.00 | | | | | \$ 1,500.00 |
| N8 | May 1-13, 2020 | Occupant Protection | OP | 405B | | | | | \$ - | | \$ - | \$ - | \$ - |
| N9 | May 14 - June 1, 2020 | National Enforcement Mobilization | OP | 405B | | | | | \$ 2,300.00 | | \$ - | \$ 2,300.00 | \$ 2,300.00 |
| N10 | July 1-5, 2020 | Fourth of July | DUI | 154AL | \$ 1,879.04 | | \$ - | \$ 1,879.04 | | | | | \$ 1,879.04 |
| N11 | August 14-31, 2020 | National Crackdown | DUI | 154AL | \$ 3,000.00 | | \$ - | \$ 3,000.00 | | | | | \$ 3,000.00 |
| L1 | | | | | | | | | | | | | |
| L2 | | | | | | | | | | | | | |
| L3 | | | | | | | | | | | | | |
| L4 | | | | | | | | | | | | | |
| L5 | | | | | | | | | | | | | |
| L6 | | | | | | | | | | | | | |
| | | | | | \$ - | | | | | | | | |
| | | | | | \$ 9,879.04 | - | \$ - | \$ 9,879.04 | \$ 2,300.00 | - | \$ - | \$ 2,300.00 | \$ 12,179.04 |

| EQUIPMENT | | 154AL Budgeted | Units | 154AL Expended | 154AL Remaining | 405B Budgeted | Units | 405B Expended | 405B Remaining | Total Remaining |
|-----------|--|----------------|-------|----------------|-----------------|---------------|-------|---------------|----------------|-----------------|
| PBT | | \$ - | | \$ - | \$ - | | | | | \$ - |
| Video | | \$ - | | \$ - | \$ - | | | | | \$ - |
| Radar | | | | | | \$ - | | \$ - | \$ - | \$ - |
| | | \$ - | | \$ - | \$ - | \$ - | | \$ - | \$ - | \$ - |

\$ 9,879.04

\$ 2,300.00

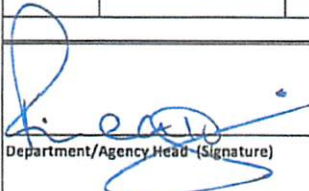
\$ 12,179.04



FY-2020 GRANT APPLICATION (HS-1)
Selective Traffic Enforcement Grant Program/Department Allocation

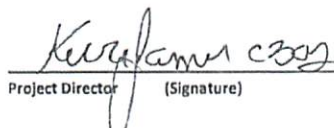
Agency Requesting Funds: **Laramie County Sheriff's Department**

| | Date | National/Local Activities | SOURCE | For J&A Use Only | DUI Overtime | OP Overtime | |
|-------|-------------------------------|---|--------|---------------------|--------------|-------------|--------------|
| N1 | October 20-26, 2019 | National Teen Driver Week - Teen Driving Issues | OP | | | | |
| N2 | Oct 30 - November 3, 2019 | Buzzed Driving - Impaired Driving | DUI | | | | |
| N3 | Nov 22 - December 1, 2019 | Thanksgiving - Occupant Protection | OP | | | | |
| N4 | Nov 29 - Dec 10, 2019 | Pre-Holiday - Impaired Driving | DUI | | | | |
| N5 | Dec 11 - January 1, 2020 | Holiday Season - Impaired Driving | DUI | | \$ 2,000.00 | | |
| N6 | January 31 - February 2, 2020 | Superbowl - Impaired Driving | DUI | | \$ 1,500.00 | | |
| N7 | March 13-17, 2020 | St. Patrick's Day - Impaired Driving | DUI | | \$ 1,500.00 | | |
| N8 | May 1-13, 2020 | Occupant Protection | OP | | | | |
| N9 | May 14 - June 1, 2020 | May Mobilization - Occupant Protection | OP | | | \$ 2,300.00 | |
| N10 | July 1 - 5, 2020 | Fourth of July - Impaired Driving | DUI | | \$ 1,879.04 | | |
| N11 | August 14-31, 2020 | National Crackdown - Impaired Driving | DUI | | \$ 3,000.00 | | |
| L1 | | | | | | | |
| L2 | | | | | | | |
| L3 | | | | | | | |
| L4 | | | | | | | |
| L5 | | | | | | | |
| L6 | | | | | | | |
| L7 | | | | | | | |
| L8 | | | | | | | |
| L9 | | | | | | | |
| L10 | | | | | | | |
| L11 | | | | | | | |
| L12 | | | | | | | |
| TOTAL | | | | | \$ 9,879.04 | \$ 2,300.00 | \$ 12,179.04 |


Department/Agency Head (Signature)

Phone: 307-633-4712

Email: rhillegas@laramiecounty.com


Project Director (Signature)

Phone: 307-633-4773

Email: jamesk@laramiecounty.com

LOAD YOUR APPLICATION TO YOUR AGENCY PROJECT SITE

ATTACHMENT A

It is hereby understood that the Agreement, when approved and signed by all concerned parties, shall constitute an agreement by and between the applicant organization to perform in accordance with the terms of this attachment, taken as a whole. The Agreement is based on WYDOT procedures and Federal guidelines found in 2 CFR 200.

1. **Non Discrimination.** The Sub-Recipient will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:
 - A. TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
 - B. THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
 - C. FEDERAL-AID HIGHWAY ACT OF 1973, (23 U.S.C. 324 *et seq.*), AND TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
 - D. SECTION 504 OF THE REHABILITATION ACT OF 1973, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
 - E. THE AGE DISCRIMINATION ACT OF 1975, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
 - F. THE CIVIL RIGHTS RESTORATION ACT OF 1987, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, Sub-Recipients and contractors, whether such programs or activities are Federally-funded or not);
 - G. TITLES II AND III OF THE AMERICANS WITH DISABILITIES ACT (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
 - H. EXECUTIVE ORDER 12898, FEDERAL ACTIONS TO ADDRESS ENVIRONMENTAL JUSTICE IN MINORITY POPULATIONS AND LOW-INCOME POPULATIONS(prevents discrimination against minority populations by discouraging programs, policies,

and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and

- I. EXECUTIVE ORDER 13166, IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The Sub-Recipient –

- J. Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted.
- K. Will administer the program in a manner that reasonably ensures that any of its Sub-Recipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- L. Agrees to comply (and require any of its Sub-Recipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- M. Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- N. Insert in all contracts and funding agreements with other State or private entities the following clause:

“During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- (i) To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- (ii) Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;

- (iii) To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- (iv) That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- (v) To insert this clause, including paragraphs a through e, in every subcontract and sub-agreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

2. **Certification – Drug Free Workplace.** This certification is required by the Corporation’s regulations implementing sections 5150-5160 of the Drug-Free Workplace Act of 1988 (P.L. 100-690), 45 CFR Part 2545, Subpart B. The regulations require certification by grantees, prior to award, that they will make a good faith effort, on a continuing basis, to maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to award the grant. False certification or violation of the certification may be grounds for suspension of payments, suspension or termination of grants, or government-wide suspension or debarment (see 2 CFR Part 180, Subparts G and H).

As the duly authorized representative of the grantee, I certify, to the best of my knowledge and belief, that the grantee will provide a drug-free workplace by:

- A. Publishing a drug-free workplace statement that:
 - (i) Notifies employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee’s workplace;
 - (ii) Specifies the actions that the grantee will take against employees for violating that prohibition; and
 - (iii) Informs employees that, as a condition of employment under any award, each employee will abide by the terms of the statement and notify the grantee in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace within five days of the conviction;
- B. Requiring that a copy of the statement described in paragraph (A) be given to each employee who will be engaged in the performance of any Federal award;

- C. Establishing a drug-free awareness program to inform employees about:
 - (i) The dangers of drug abuse in the workplace;
 - (ii) The grantee's policy of maintaining a drug-free workplace;
 - (iii) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (iv) The penalties that the grantee may impose upon them for drug abuse violations occurring in the workplace;
 - D. Providing us, as well as any other Federal agency on whose award the convicted employee was working, with written notification within 10 calendar days of learning that an employee has been convicted of a drug violation in the workplace;
 - E. Taking one of the following actions within 30 calendar days of learning that an employee has been convicted of a drug violation in the workplace:
 - (i) Taking appropriate personnel action against the employee, up to and including termination; or
 - (ii) Requiring that the employee participate satisfactorily in a drug abuse assistance or rehabilitation program approved for these purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
 - F. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (A) through (E).
3. **Political Activities (Hatch Act).** The Sub-Recipient will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
 4. **Certification Regarding Federal Lobbying.** The undersigned certifies, to the best of his or her knowledge and belief, that:
 - A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant,

loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

- C. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all Sub-Recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

- 5. **Restriction on State Lobbying.** None of the funds under this program shall be used for any activity specifically designed to urge or influence a state or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any state or local legislative body. Such activities include both direct and indirect e.g., "grassroots" lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with state or local legislative officials, in accordance with customary state practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

6. **Debarment and Suspension.**

- A. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.
- B. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- C. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies

available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

- D. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- E. The terms *covered transaction*, *debarment*, *suspension*, *ineligible*, *lower tier*, *participant*, *person*, *primary tier*, *principal*, and *voluntarily excluded*, as used in this clause, have the meaning set out in the Definitions and coverage sections of 2 CFR part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- F. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.
- G. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction,” provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.
- H. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
- I. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- J. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered

transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

***Certification Regarding Debarment, Suspension, and Other Responsibility Matters—
Primary Covered Transactions***

- K.** The prospective primary participant certifies to the best of its knowledge and belief, that its principals:
- (i)** Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
 - (ii)** Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
 - (iii)** Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (iv)** Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- L.** Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

- M.** By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1300.
- N.** The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the

department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

- O. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- P. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- Q. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.
- R. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1300.
- S. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
- T. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- U. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered

transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions

- V. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- W. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

This agreement is required to comply with the Federal Funding Accountability and Transparency Act (FFATA) of 2006. As the prime recipient of these funds, WYDOT will report the required information to the Federal Funding Accountability and Transparency Act Sub-award Reporting System (FSRS). The FFATA requires any person or entity receiving contract or grant funds directly from the federal government to report certain information regarding those funds through a centralized website, www.fsr.gov. The law requires that you provide your Data Universal Numbering System (DUNS) number to WYDOT. This requirement means you need to be registered with DUN and Bradstreet. Instructions for this process can be found at www.dnb.com. Additional information regarding this Act may be found at the following sites:

<http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>
<http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>.

- 7. **Buy American Act.** The State and each Sub-Recipient will comply with the Buy America requirement (Executive order dated April 18, 2017) when purchasing items using Federal funds. Buy America requires a State, or Sub-Recipient, to purchase only steel, iron and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.
- 8. **Prohibition on Using Grant Funds to Check for Helmet Usage.** The State and each Sub-Recipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

9. **Policy on Seat Belt Use.** In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's Web site at www.nhtsa.dot.gov. Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, DC metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS is prepared to provide technical assistance, a simple, user-friendly program kit, and an award for achieving the President's goal of 90 percent seat belt use. NETS can be contacted at 1 (888) 221-0045 or visit its Web site at www.trafficsafety.org.
10. **Policy on Banning Text Messaging while Driving.** In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or -rented vehicles, Government-owned, leased or rented vehicles, or privately-owned when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
11. **Records Retention.** Sub-Recipient must maintain financial records, supporting documents, statistical records, and all other records pertinent to the federal award for a period of three years from the date of submission of the final expenditure report. If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.
12. **Access to Records.** The Federal awarding agency, Inspector General, the Comptroller General of the United States, and WYDOT, or any of their authorized representatives, must have the right of access to any documents, papers, or other records which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the Sub-Recipient's personnel for the purpose of interview and discussion related to such documents.
13. **Funding.** The Sub-Recipient will utilize funds provided to supplement and not to supplant state and local funds otherwise available for these purposes. Funds are to be expended only for purposes and activities approved in the project agreement. Reimbursement will be

made periodically by WYDOT based on approved requests for reimbursement. If matching funds are required, the Sub-Recipient will expend them from nonfederal sources, which must be spent no later than 30 days following the completion of the project.

14. **Cost Principles and Grant Management.** The eligibility of costs incurred and the management of this project shall be determined in accordance with 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
15. **Obligation Funds.** Federal funds may not be obligated prior to the effective date or subsequent to the termination date of the project period. Requests for reimbursement outstanding at the termination date of the project must be made within 30 days or those funds may not be paid.
16. **Changes.** The Sub-Recipient must obtain prior written approval from WYDOT for major project changes, including: changes of substance in project objectives, evaluation, activities, the project manager, key personnel, project budget or transfer of funds from one category in the budget to another. The period of performance of the project, however, cannot be changed.
17. **Program Income.** WYDOT safety programs encourage Sub-Recipients to earn income to help defray program costs, but there are federal regulations that must be followed. Program income is defined as gross income received by the State and/or Sub-Recipient directly generated by a grant supported activity, or earned only as a result of the grant agreement during the grant period. Income earned by the Sub-Recipient with respect to the conduct of the project (sale of publications, registration fees, service charges, donations for child safety seats, etc.) must be accounted and income applied to project purposes, used to reduce project costs, or be used to meet cost agency matching requirements. The Sub-Recipient is responsible for reporting all program income according to federal and state requirements.
18. **Purchases.** Sub-Recipients shall follow such policies and procedures allowed by WYDOT when procuring property and services under a Federal award.
19. **Property Insurance.** The Sub-Recipient must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with Federal funds as provided to property owned by the Sub-Recipient.
20. **Third Party Participants.** No contracts or agreements may be entered into by the Sub-Recipient related to this project which are not incorporated into the project agreement and approved in advance by WYDOT. The Sub-Recipient will retain ultimate control and responsibility for the project. WYDOT shall be provided with a copy of all contracts and agreements entered into by Sub-Recipients. Any contract or agreement must allow for the greatest competition practicable and evidence of such competition or justification for a negotiated contract or agreement shall be provided to WYDOT.

21. **Participation by Disadvantaged Business Enterprises.** The Sub-Recipient agrees to take all necessary and reasonable steps in accordance with Title 49, CFR, Subtitle A, Part 26 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Sub-Recipients shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any subcontracts financed in whole or in part with federal funds.
22. **Single Audit.** Sub-Recipients that expend \$750,000 or more during their fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with 2 CFR Part 200 Subpart F.
23. **Wyoming Standard Field Sobriety Testing.** All law enforcement officers who are performing impaired driving enforcement activities with funding from WYDOT must be in compliance with the current Wyoming Standards for Field Sobriety Testing Standards.
24. **Central Sub-Recipient Registration (CCR) and Universal Identifier Requirements.** Requires that the Sub-Recipient be registered in the CCR prior to submitting an application or plan; and maintain an active CCR registration with current information at all times during which it has an active Federal award or an application or plan under consideration by an agency.
25. **Conflict of Interest.** The Sub-Recipient/LPA/Sponsor must disclose in writing any potential conflict of interest to WYDOT including financial or other personal interests.
26. **Mandatory Disclosures.** The Sub-Recipient/LPA/Sponsor must disclose, in a timely manner, in writing to WYDOT all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting this award. Failure to make required disclosures can result in remedies for noncompliance including suspension or debarment.